



PTO/SB/08A (08-03)

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number	10/698,096
Filing Date	October 31, 2003
First Named Inventor	Kenneth E. Narva
Art Unit	1653
Examiner Name	
Attorney Docket Number	MA-708CDC1

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
RAW	1	US- 4,448,885	05-15-1984	Schnepf et al.	(please review all)
	2	US- 4,467,038	08-21-1984	Schnepf et al.	(please review all)
	3	US- 4,797,276	01-10-1989	Herrnstadt et al.	(please review all)
	4	US- 4,853,331	08-01-1989	Herrnstadt et al.	(please review all)
	5	US- 4,918,006	04-17-1990	Ellar et al.	(please review all)
	6	US- 4,948,734	08-14-1990	Edwards et al.	(please review all)
	7	US- 4,990,332	02-05-1991	Payne et al.	(please review all)
	8	US- 5,039,523	08-13-1991	Payne et al.	(please review all)
	9	US- 5,093,120	03-03-1992	Edwards et al.	(please review all)
	10	US- 5,126,133	06-30-1992	Payne et al.	(please review all)
	11	US- 5,151,363	09-29-1992	Payne	(please review all)
	12	US- 5,164,180	11-17-1992	Payne et al.	(please review all)
	13	US- 5,169,629	12-08-1992	Payne et al.	(please review all)
	14	US- 5,204,237	04-20-1993	Gaertner et al.	(please review all)
	15	US- 5,236,843	08-17-1993	Narva et al.	(please review all)
	16	US- 5,262,399	11-16-1993	Hickle et al.	(please review all)
	17	US- 5,270,448	12-14-1993	Payne	(please review all)
	18	US- 5,281,530	01-25-1994	Sick et al.	(please review all)
RAW	19	US- 5,322,932	06-21-1994	Narva et al.	(please review all)

FOREIGN PATENT DOCUMENTS

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
RAW	20	EP 0 359 472	03-21-1990	Adang et al.	pls review all	
	21	WO 94/04684	03-03-1994	Payne et al.	pls review all	
	22	WO 94/05771	03-17-1994	Lambert et al.	pls review all	
	23	WO 94/21795	09-29-1994	Warren et al.	pls review all	
	24	WO 94/24264	10-27-1994	Lambert et al.	pls review all	
RAW	25	WO 96/05314	02-22-1996	Payne et al.	pls review all	

Examiner
Signature

/Robert A. Wax/

Date
Considered

06/26/2006

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Sheet 2 of 4

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RAW	26	US- 5,350,577	09-27-1994	Payne	(please review all)
	27	US- 5,426,049	06-20-1995	Sick et al.	(please review all)
	28	US- 5,439,881	08-08-1995	Narva et al.	(please review all)
	29	US- 5,667,993	09-16-1997	Feitelson et al.	(please review all)
	30	US- 5,670,365	09-23-1997	Feitelson	(please review all)
	31	US- 5,770,696	06-23-1998	Warren et al.	(please review all)
	32	US- 5,840,868	11-24-1998	Warren et al.	(please review all)
	33	US- 5,849,870	12-15-1998	Warren et al.	(please review all)
	34	US- 5,866,326	02-02-1999	Warren et al.	(please review all)
	35	US- 5,872,212	02-16-1999	Warren et al.	(please review all)
	36	US- 5,877,012	03-02-1999	Estruch et al.	(please review all)
	37	US- 5,888,801	03-30-1999	Warren et al.	(please review all)
RAW	38	US- 5,889,174	03-30-1999	Warren et al.	(please review all)
		US-			
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RAW	39	WO 96/10083	04-04-1996	Warren et al.	pls review all	
RAW	40	WO 98/18932	05-07-1998	Feitelson et al	pls review all	

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
RAW	41	ASANO, Shoji et al., "A Unique Activity in Bacillus thuringiensis Growth Medium," Appl. Entomol. Zool., 1994, pp. 39-45, vol. 29(1).	
	42	BEEGLE, C.C., "Use of Entomogenous Bacteria in Agroecosystems," Developments in Industrial Microbiology, 1978, pp. 97-104, vol. 20.	
	43	CAROZZI, N.B. et al., "Prediction of Insecticidal Activity of Bacillus thuringiensis Strains by Polymerase...", Appl. & Environ. Microbio., 1991, pp. 3057-3061, vol. 57(11).	
	44	COUCH, T.L., "Mosquito Pathogenicity of Bacillus thuringiensis var. israelensis," Developments in Industrial Microbiology, 1980, pp. 61-76, vol. 22.	
	45	ESTRUCH, J.J. et al., "Vip3A, A Novel Bacillus thuringiensis Vegetative Insecticidal Protein with a Wide Spectrum...", Proc. Natl. Acad. Sci. USA, 1996, pp. 5389-5394, vol. 93	
	46	FEITELSON, J.S. et al., "Bacillus thuringiensis: Insects and Beyond," Bio/Technology, 1992, pp. 271-275, vol. 10.	
	47	GAERTNER, F.H. and Leo Kim, "Current Applied Recombinant DNA Projects," TIBTECH, 1988, pgs. 54-57, vol. 6(4).	
	48	GAERTNER, F.H., "Cellular Delivery Systems for...", Controlled Delivery of Crop Protection Agents (R.M. Wilkins ed.) 1989, p. 245-255, Taylor and Francis, New York and London	
	49	GLEAVE, A.P. et al., "Identification of an Insecticidal Crystal Protein from Bacillus thuringiensis DSIR517...", Journal of General Microbiology, 1992, pgs. 55-62, vol. 138.	
RAW	50	HOFTE, H. and H.R. Whiteley, "Insecticidal Crystal Proteins of Bacillus thuringiensis," Microbiological Reviews, 1989, pgs. 242-255, vol. 53(2).	

Examiner Signature	/Robert A. Wax/	Date Considered	06/26/2006
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
RAW	51	KRIEG, V.A. et al., "Bacillus thuringiensis var. tenebrionis, a new pathotype effective against larvae of Coleoptera," Z. Ang. Ent., 1983, pp. 500-508, vol. 96, Abstract.	
	52	LAMBERT, B. et al., "A Bacillus thuringiensis Insecticidal Crystal Protein with a High Activity against Members....," Appl. & Environ. Microbiol., 1996, pp. 80-86, vol 62(1).	
	53	LI, Jade, "Bacterial Toxins," Current Opinion in Structural Biology, 1992, pp. 545-556, vol. 2.	
	54	SCHNEPF, H.E. and H.R. Whiteley, "Cloning and Expression of the Bacillus thuringiensis Crystal Protein Gene in....," Proc. Natl. Acad. Sci. USA, 1981, pp. 2893-2897, vol. 78(5)	
	55	SHEVELEV, A.B. et al., "Primary Structure of cryX**, the Novel Delta-endotoxin-related Gene from Bacillus thuringiensis spp. galleriae," FEBS, 1993, pgs. 79-82, vol. 336(1).	
RAW	56	SMULEVITCH, S.V. et al., "Nucleotide Sequence of a Novel -Endotoxin Gene crylg of Bacillus thuringiensis ssp. galleriae," FEBS, 1991, pgs. 25-28, vol. 293(1-2).	

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